

MARKED VERSION of the Amended Claim:

1. (Amended) A retaining and fixing structure of raised floor holder, comprising:

a holder body having a screw hole thereon;

a pipe cover disposed at a top of said holder body, and having a large-diameter portion and a small-diameter portion situated below said large-diameter portion, a retaining groove being annularly disposed on said small-diameter portion of said pipe cover, said small-diameter portion being matched inside said top of said holder body, said large-diameter portion defining about an axis thereof a polygonal outer contour; and

a fixing stud screwed into said screw hole of said holder body, a first end of said fixing stud being matched into said retaining groove of said pipe cover and a second end joined to a circular turn knob, said circular turn knob having a knurled perimeter edge.

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Please insert the following Claim:

6. (New) The retaining and fixing structure of raised floor holder as  
claimed in claim 1, wherein said larger diameter portion of said pipe cover is hexagonal  
in outer contour.

REMARKS

This case has been carefully reviewed and analyzed in view of the Office Action dated 22 January 2003. Responsive to the rejections made by the Examiner in that Office Action, Claim 1 is amended, and Claim 6 is newly-inserted for further prosecution with the other pending Claims. With such amendment and insertion of Claims, there is a further clarification of Applicant's invention for this Patent Application.

In the Office Action, the Examiner withdrew her earlier indication of allowable subject matter and rejected Claims 1 and 3 under 35 U.S.C. § 103(a) as being unpatentable over the Whitchurch, et al. reference in view of the Marshall reference. In setting forth this rejection, the Examiner acknowledged that Whitchurch, et al. fails to disclose a second end of the fixing stud having a knurled circular turn knob, but cited the Marshall reference for disclosing such feature. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to have incorporated a circular knurled knob into the Whitchurch, et al. device to facilitate turning of the stud.

The Examiner rejected Claim 4 under 35 U.S.C. § 103(a) as being unpatentable over the Whitchurch, et al. reference in view of the Marshall reference, further in view of the Holzbach reference. The Examiner acknowledged that Whitchurch, et al. and Marshall fail to disclose a screw nut on a rod body, but relied upon Holzbach for such feature and again concluded that it would have been obvious to one of ordinary skill in the art to have incorporated the feature into the device collectively taught by Whitchurch,

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et al. and Marshall.

The Examiner additionally rejected Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over the Whitchurch, et al. reference in view of the Marshall reference, further in view of the Heath reference. The Examiner acknowledged in this regard that Whitchurch, et al. and Marshall fail to disclose a screw nut on the fixing stud. The Examiner, however, cited Heath for disclosing a set screw locked in place by a nut, and from this concluded that it would have been obvious to one of ordinary skill in the art to have included a screw nut on the fixing stud in the device collectively disclosed by Whitchurch, et al. and Marshall.

As newly-amended independent Claim 1 now more clearly recites, Applicant's apparatus includes among its features "a pipe cover disposed at a top of...[a] holder body," which includes "a large-diameter portion and a small-diameter portion." The "small-diameter portion...[is] matched inside said top of said holder body," with the "large-diameter portion defining about an axis thereof a polygonal outer contour," as newly-amended Claim 1 also now more clearly recites. As newly-inserted dependent Claim 6 also now more clearly recites, "said larger diameter portion of said pipe cover" in the exemplary embodiment disclosed "is hexagonal in outer contour."

The full combination of these and other features now more clearly recited by Applicant's pending Claims is nowhere disclosed by the cited references. Note, for instance, that Whitchurch, et al. simply discloses the bushing 43 to have a cylindrically

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shaped upper portion, in a manner consistent with the corresponding upper portions of the disclosed jack's other telescoping sections. While Whitchurch, et al. provides for engagement means by which to rotate the bushing 43, the reference specifically prescribes for that purpose radial openings 54 formed into the bushing's cylindrical side wall. Such openings 54 are necessarily provided and configured in this manner so as to receive a lever 56 that a user can easily couple therewith for secure turning leverage when the jack is in place beneath the given vehicle. This teaches very plainly away from the large-diameter portion of Applicant's pipe cover which "defin[es] about an axis thereof a polygonal outer contour," as newly-amended Claim 1 now more clearly recites.

Given such deficient and contrary teachings of the primarily cited Whitchurch, et al. reference, the other secondarily cited references are rendered largely ineffectual to the present patentability analysis. Note in this regard that the Holzbach reference likewise discloses for the flange 9 of its sleeve 7 nothing more than a disk-shaped contour instead of "polygonal outer contour," recited now more clearly by Applicant's Claim 1.

It is respectfully submitted, therefore, that the cited Whitchurch, et al., Holzbach, Marshall, and Heath references, even when considered together, fail to disclose the unique combination of elements now more clearly recited by Applicant's pending Claims for the purposes and objectives disclosed in the subject Patent Application.

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It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,  
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